IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE COLUMBIA DIVISION

)	
)	
)	No. 1:24-CV-00061
)	Chief Judge Campbell
)	Magistrate Judge Holmes
)	
)	JURY DEMANDED
)	
)	
)	
))))))))))

MOTION FOR LEAVE TO FILE AMENDED COMPLAINT

Pursuant to Federal Rule of Civil Procedure 15 and Local Rule 15.01, Plaintiff Elizabeth Norwood ("Plaintiff" or "Norwood"), by and through counsel, respectfully requests leave to file a First Amended Complaint, attached as Exhibit 1.

This litigation involves Norwood's employment with Defendants Mulberry Medical Aesthetics, LLC and Theron Hutton, MD ("Defendants") and a closely related entity, Mulberry Clinics, PLLC. Her allegations against Defendants Mulberry Spa and Hutton relate to violations of the Fair Labor Standards Act and are contained in the original Complaint (Doc. 1). Norwood's allegations against Mulberry Clinics, which is not yet a named Defendant, relate to the termination of her employment in violation of Title VII of the Civil Rights Act of 1964. When Norwood initiated this litigation with the filing of the original Complaint (Doc. 1), she had not yet received a Right to Sue related to her Title VII claim against Mulberry Clinics. She has now received that and respectfully requests leave to amend her Complaint to add a claim for Title VII retaliation

against a new defendant, Mulberry Clinics, PLLC. Mulberry Clinics and Mulberry Spa are both owned and operated by Defendant Hutton.

Amending the Complaint to add this allegation and related defendant will not delay this

litigation, as discovery is still underway and Norwood indicated in the original Complaint that she

would seek to make this amendment. Further, adding the claim to the current lawsuit will allow

for a more efficient litigation of these inter-related issues.

Counsel for Norwood consulted with counsel for Defendants Mulberry Spa and Hutton by

email on October 30 and November 6, 2024. As of the date of filing this motion, they have not

responded as to whether Defendants oppose the relief sought.

WHEREFORE, for the foregoing reasons, Norwood respectfully requests leave to file the

attached First Amended Complaint and for process to issue for service on Mulberry Clinics, PLLC.

Respectfully submitted,

/s/ Elizabeth G. Hart

THE SWAFFORD LAW FIRM, PLLC

Tara L. Swafford BPR # 17577

Elizabeth G. Hart, BPR # 30070

321 Billingsly Court, Suite 19

Franklin, Tennessee 37067

Telephone: (615) 599-8406

Facsimile: (615) 807-2355

tara@swaffordlawfirm.com

betsy@swaffordlawfirm.com

Counsel for Elizabeth Norwood

2

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served via the Court's electronic filing system on:

Lauren Z. Curry Micah N. Bradley Sherrard Roe Voigt & Harbison, PLC 1600 West End Avenue, Suite 1750 Nashville, Tennessee 37203 lcurry@srvhlaw.com mbradley@srvhlaw.com

on this the 19th day of November 2024.

/s/ Elizabeth G. Hart Elizabeth G. Hart